

Filed for intro on 01/21/98
HOUSE BILL 2206 By
Gunnels

SENATE BILL 2221
By Haun

AN ACT to amend Title 68, Chapter 105 relative to the
notification of blasting accidents and cease and
desist orders following blasting accidents, and
providing for statutory disciplinary authority.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE

SECTION 1 Tennessee Code Annotated, Title 68, Chapter 105 is amended by adding
the following new section which shall read:

Section _____. Notification after accidents - Blasting companies are required to
notify the Division of Fire Prevention as soon as possible after any blasting incident
resulting in personal injury.

SECTION 2 Tennessee Code Annotated, Title 68, Chapter 105 is further amended by
adding the following new section which shall read:

Section _____. Cease and Desist Order - Upon order of the Assistant
Commissioner for Fire Prevention, a blasting company shall be required to cease all
blasting operations following any incident resulting in personal injury. Any such order
will remain in effect pending a determination by the Division that such order may be
lifted.

SECTION 3 Tennessee Code Annotated, Title 68, Chapter 105 is further amended by
adding the following new section which shall read:

Section _____. Investigations - Disciplinary Authority

300000000

30000000

009577

00957795

(a) The Division of Fire Prevention, subject to available resources, shall investigate alleged violations of this chapter and the rules promulgated thereunder.

(b) The Commissioner may suspend, revoke or refuse to renew any registration held under the provisions of this chapter, and assess a civil penalty in an amount not to exceed one thousand dollars (\$1,000) per violation, for any violation of this chapter or the rules promulgated thereunder.

SECTION 4 Tennessee Code Annotated, Title 68, Chapter 105 is further amended by adding the following new section which shall read:

Section _____. Hearings and judicial review. - The provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, govern all matters and procedures respecting the hearing and judicial review of any contested case, as defined therein, arising under this chapter.

SECTION 5 This Act shall take effect upon becoming a law, the public welfare requiring it.